

**From:** [Rafael Casanova](#)  
**To:** [Carlos Sanchez](#)  
**Cc:** [Gary Moore](#); [Gloria-Small Moran](#); [Philip Allen](#)  
**Subject:** Re: Fw: Superior - REPLY  
**Date:** 06/11/2010 11:59 AM

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Carlos, I believe everyone reviewed the work plan, but it was suggested that comments should not be forwarded to them because of the ongoing RCRA case, as I understand it. I was prepared to forward the comments this week or the week of 6/21 until we received an e-mail that the work plan had been initiated by Superior.

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Rafael Casanova, P.G. (Remedial Project Manager, Environmental Scientist)  
U.S. Environmental Protection Agency, Region 6  
Superfund Division (6SF-RA)  
1445 Ross Avenue, Suite 1200  
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Work Telephone # - (214) 665-7437  
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Assigned Sites for Investigation and Remediation  
(<http://www.epa.gov/earth1r6/6sf/6sf-tx.htm>):  
Brine Service Company Superfund Site (Corpus Christi, Texas)  
Falcon Refinery Superfund Site (Ingleside, Texas)  
Many Diversified Interests, Inc. Superfund Site (Houston, Texas)

▼ Carlos Sanchez---06/11/2010 11:35:54 AM---Rafael.

**From:** Carlos Sanchez/R6/USEPA/US  
**To:** Rafael Casanova/R6/USEPA/US@EPA  
**Cc:** Gary Moore/R6/USEPA/US@EPA, Gloria-Small Moran/R6/USEPA/US@EPA, Philip Allen/R6/USEPA/US@EPA  
**Date:** 06/11/2010 11:35 AM  
**Subject:** Re: Fw: Superior - REPLY

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Rafael,  
Have you heard from the OSCs to see if they reviewed the workplan?  
I don't believe that we need to tell Superior anything other than that we want a copy of the report that documents the work that they did.  
Only if they ask or request EPA's approval, then we can state that we can not approve something that we did not review or concurred on. CAS

Carlos A. Sanchez  
Chief, Ark/Tx Section  
Region 6, Superfund Division, (6SF-RA)



9567543

sanchez.carlos@epa.gov  
214/665-8507

▼ Re: Fw: Superior - REPLY

**Re: Fw: Superior - REPLY** 

**Rafael  
Casanova** to: Carlos Sanchez

06/11/2010  
11:27 AM

Cc: Gloria-Small Moran, Philip Allen, Gary Moore

Carlos, yes, I agree. Gloria should consider notifying Superior of that fact. Or I can call them.

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▼ Carlos Sanchez---06/11/2010 10:40:25 AM---Rafael.

From: Carlos Sanchez/R6/USEPA/US  
To: Rafael Casanova/R6/USEPA/US@EPA  
Cc: Gloria-Small Moran/R6/USEPA/US@EPA, Philip Allen/R6/USEPA/US@EPA  
Date: 06/11/2010 10:40 AM  
Subject: Re: Fw: Superior - REPLY

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Rafael,

If EPA (Remedial or Removal) was not given the opportunity to review and comment on the workplan, EPA can not, after the fact, approve or sign off on the work that was conducted. CAS

Carlos A. Sanchez  
Chief, Ark/Tx Section  
Region 6, Superfund Division, (6SF-RA)  
sanchez.carlos@epa.gov  
214/665-8507

▼ Re: Fw: Superior - REPLY

**Re: Fw: Superior - REPLY** 

**Rafael  
Casanova** to: Gloria-Small Moran

06/10/2010  
07:26 PM

Cc: Carlos Sanchez, Christopher Ruhl, Gary Moore, Philip Allen

Gloria, as far as I know EPA did not provide input into the plan and we were not informed that they would proceed with the plan.

Chris, Philip, and Gary, was their any input on your part provided to Superior on the plan and were you notified that they were going to proceed with the plan?

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▼ Gloria-Small Moran---06/10/2010 05:57:16 PM---Hello Rafael: Please confirm whether the plan was implemented without EPA input. Although Superior

From: Gloria-Small Moran/R6/USEPA/US  
To: Rafael Casanova/R6/USEPA/US@EPA  
Cc: Carlos Sanchez/R6/USEPA/US@EPA, Christopher Ruhl/R6/USEPA/US@EPA, Gary Moore/R6/USEPA/US@EPA  
Date: 06/10/2010 05:57 PM  
Subject: Re: Fw: Superior - REPLY

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Hello Rafael:

Please confirm whether the plan was implemented without EPA input. Although Superior requested EPA input on the workplan, the company was not under an EPA obligation to comply with any specific requirements concerning the work to be performed, and our "delay" in providing input may have forced the company to proceed ahead in compliance with other - state - mandates.

I recommend that we obtain a report of the work that was completed by the contractor.

Gloria Moran  
Assistant Regional Counsel  
Superfund Branch (6RC-S)  
U.S.EPA, Region 6  
1445 Ross Avenue  
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▼ Fw: Superior

**Fw: Superior**

**Rafael**  
**Casanova** to: Gloria-Small Moran

06/10/2010  
04:35 PM

Cc: Carlos Sanchez, Gary Moore, Christopher Ruhl

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Gloria, it looks like Superior has implemented their work plan for the oil spill cleanup. As far as I know, EPA was not provided the opportunity to comment on the plan.

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Rafael Casanova, P.G. (Remedial Project Manager, Environmental Scientist)  
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Many Diversified Interests, Inc. Superfund Site (Houston, Texas)

----- Forwarded by Rafael Casanova/R6/USEPA/US on 06/10/2010 04:19 PM -----

From: Philip Allen/R6/USEPA/US  
To: Rafael Casanova/R6/USEPA/US@EPA  
Date: 06/10/2010 10:51 AM  
Subject: Fw: Superior

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----- Forwarded by Philip Allen/R6/USEPA/US on 06/10/2010 11:01 AM -----

**Re: Superior**

**Peter Pope** to: Christopher Ruhl, Sue Westbrook, Philip Allen

05/27/2010  
05:09 PM

Cc: "Arnold Ott", "David Cooney", "Fermin Munoz", "Heidi Bojes", "Leroy Staiger", "William Miertschin"

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Sue, Chris, Philip:

Superior began implementation of the attached investigation workplan (revised from the one that you saw previously) early last week after they completed removal of crude oil, water and oily grass. The report from the field is that they are roughly halfway through their sampling plan, and currently delayed while they remove water that accumulated during recent rain. Sampling likely will continue into next week. Let us know if you have questions. Thanks,

Peter Pope  
Site Remediation  
(512) 463-8202

>>> David Cooney 5/11/2010 11:56 AM >>>  
Sue and Chris,

I apologize for not getting to you sooner. Please accept this e mail as Railroad Commission staff's communication that we will take the lead in overseeing the remediation of the February 2010 Superior Oil spill event at the NORCO property in Ingleside.

David Cooney  
Office of General Counsel  
512 463 6977

[attachment "2010 05 14 Superior revise plan maps.pdf" deleted by Gloria-Small Moran/R6/USEPA/US] [attachment "Superior Crude Gathering - Work Plan 05-14-2010.pdf" deleted by Gloria-Small Moran/R6/USEPA/US]